

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, DECEMBER 8, 2021 AT 5:30 P.M. IN THE CITY COUNCIL
CHAMBERS.**

MAYOR: Louie A. Trujillo

COUNCILORS: David G. Romero
Elaine Rodriguez
Michael L. Montoya
David A. Ulibarri, Jr.

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Scott Aaron, City Attorney *via telephone*
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Trujillo called the meeting to order at 5:31 pm.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo recognized all the hard work that City employees are doing, all the hard work that went into the parade and for making the town look festive with all the decorations. Mayor Trujillo asked to keep the family of Lily Montoya and

Theresa Quintana in our prayers who recently passed away. Mayor Trujillo asked for a moment of silence for anyone else in town who had suffered losses.

APPROVAL OF AGENDA

City Clerk Fresquez advised there was a recommendation to remove the recognition for the Retirement of Lieutenant Monica Vigil for the December 15, 2021 Council meeting.

Councilor Montoya made a motion to approve the agenda as amended. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri Jr.	Yes
Michael L. Montoya	Yes	Elaine Rodriquez	Yes

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

There was no public input.

COUNCILORS' REPORTS

Councilor Rodriquez advised residents have contacted her regarding how excited they are for the ice skating rink.

Councilor Montoya thanked Utilities Director Gilvarry, her staff and the contractor for working on Bridge Street to get it opened up for the holidays. Councilor Montoya stated that the Christmas tree looked beautiful and it was an awesome parade. Councilor Montoya also congratulated the Robertson High School Football team for winning the State Championship.

Councilor Romero thanked City Manager Maestas and all staff for their hard work on all the amazing events. Councilor Romero mentioned the opportunity the community had to decorate memorial ornaments and for bringing the spirit back with all the decorations throughout the City. Councilor Romero advised he had a phone conference with Elizabeth Juarros, Chris Madrid and Felicity Funesca

regarding opportunities for tourism and funding opportunities for Rodriguez and Gallinas River Parks.

Councilor Ulibarri Jr., thanked the Robertson High School softball team for decorating 10 residents' doors now for the holidays and also thanked City Manager Maestas and Utilities Director Gilvarry for getting Bridge Street paved.

CITY MANAGER'S REPORT

City Manager Maestas gave a report on the following:

- Welcomed new employees to the City of Las Vegas
- Welcomed new businesses
- 142 businesses have not paid their license fee and late fee for 2021
- Update on Surplus Monies
 - Playground equipment was delivered and is scheduled to be installed in the next 30-45 days
 - Moreno/South Pacific building demolition will be completed by the end of the month
 - Approved new sidewalk to be installed along Independence
 - Contract for Aerial mapping/Surveying at Rodriguez Park
 - Carnegie Library asbestos/mold remediation should be completed in the next 2-3 weeks
 - Police department received Angel Armor Vests
 - PNM assigned a Project Management team for the 882 LED light pole conversion.
- Update on other projects
 - Great Blocks project went out for bids
 - CDBG-Romero/Salazar Streets
 - Camino de las escuelas portion needs to go to the County to change over the possession of that portion to the City
 - Millings are scheduled for north and south Gonzales Street, 12th Street and a section on Valencia Street
 - Windows were installed at the building by the Farmers Market
 - Finance is creating a bill assistance line item to help those who qualify for assistance

City Manager Maestas thanked the community for going to the events.

Mayor Trujillo advised a lot of great things are happening in the City and thanked City Manager Maestas and all his staff for all the hard work they are doing and for moving the City forward.

City Manager Maestas advised they do have a great team and work well together.

Councilor Montoya asked if the City was liable for businesses being delinquent and what the cost analysis was for the inside of the Farmers Market.

City Manager Maestas advised he did not believe so.

City Attorney Aaron advised he couldn't think of anything at the moment that could cause any liability for the City but they need to get those businesses up to date on the license fees.

Councilor Montoya asked about the Farmers Market cost analysis for the inside.

City Manager Maestas advised that the project was still on the ICIP and they would need to prioritize and rank all of those projects.

Councilor Ulibarri Jr., asked what is being done about businesses operating without a license and if Code Enforcement was involved.

City Manager Maestas advised they have reached out to businesses numerous times and need to see what the next steps are for those businesses that have not paid.

Councilor Montoya requested that employees handle business in the Chambers or in an office instead of out in the hallway.

APPROVAL OF MINUTES

Councilor Romero made a motion to approve the minutes for November 10 and November 17, 2021. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael L. Montoya	Yes
David A. Ulibarri Jr.	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo recognized the City Clerk's Office for their professionalism. Mayor Trujillo advised he is always amazed at how accurate the minutes are and they do a great job at preparing them.

BUSINESS ITEMS

Conduct a Public Hearing for Business Items 1 and 2.

City Clerk Fresquez advised there was no public comment for business items 1 and 2.

Councilor Romero made a motion to enter into Public Hearing to discuss business item 1 and 2. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
David G. Romero	Yes	Elaine Rodriquez	Yes

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez swore in City Attorney Aaron.

1. Adoption of Ordinance No. 21-18 an ordinance that creates and amends various city ordinances regarding cannabis, business registration, zoning, nuisances, and water.

City Attorney Aaron advised the ordinance was republished for the public to view with corrections.

2. Adoption of Ordinance No. 21-19 amending the Code of the City of Las Vegas by repealing and replacing Section 389-15 entitled "Use of Monies"

and Section 389-6, entitled “Exemptions”, and by creating a new Article III in Section 160 entitled “Adult businesses”.

City Attorney Aaron advised the ordinance deals with the “use of monies”, “exemptions” for Lodgers Tax and “Adult businesses” that may come with cannabis businesses.

Councilor Romero made a motion to exit Public Hearing and return to regular session. Councilor Ulibarri Jr., seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Elaine Rodriquez	Yes
David G. Romero	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

1. Adoption of Ordinance No. 21-18 an ordinance that creates and amends various city ordinances regarding cannabis, business registration, zoning, nuisances, and water.

Councilor Romero made a motion to adopt ordinance 21-18. Councilor Montoya seconded the motion.

Ordinance 21-18 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk’s Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

2. Adoption of Ordinance No. 21-19 amending the Code of the City of Las Vegas by repealing and replacing Section 389-15 entitled "Use of Monies" and Section 389-6, entitled "Exemptions", and by creating a new Article III in Section 160 entitled "Adult businesses".

Councilor Montoya made a motion to adopt ordinance 21-19. Councilor Rodriquez seconded the motion.

Ordinance 21-19 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	David G. Romero	Yes
Elaine Rodriquez	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo thanked City Attorney Aaron for being on the phone and he was excused for the remainder of the meeting.

3. Request approval of Resolution No. 21-50 authorizing the purchase of a 930K wheel loader by Solid Waste from an expired lease belonging to Public Works.

Utilities Director Gilvarry advised the Public Works department completed a year lease on several pieces of equipment. Utilities Director Gilvarry advised the loader did not have a lot of hours on it and is still in very good condition. Utilities Director Gilvarry advised the opportunity came up for Solid Waste to purchase it and they do use loaders for their work and when assisting with abatements. Utilities Director Gilvarry advised that Solid Waste currently had a brand new lease for a loader but after speaking with the Solid Waste Manager they felt like it would be a good purchase.

Discussion took place regarding if there was a warranty for the equipment and if there was a maintenance record on that equipment.

Utilities Director Gilvarry advised the amount to purchase the loader was \$73,691 and Solid Waste does have that money.

Discussion took place regarding the price of a newer loader.

Councilor Ulibarri Jr., requested a copy of maintenance records.

Councilor Montoya made a motion to approve resolution 21-50. Councilor Ulibarri Jr., seconded the motion.

Resolution 21-50 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-50**

A RESOLUTION AUTHORIZING THE PURCHASE OF A 930K WHEEL LOADER FROM AN EXPIRED LEASE BELONGING TO PUBLIC WORKS

WHEREAS, the City of Las Vegas Utilities Department, Solid Waste division uses a wheel loader for pushing trash, loading of the trailers, and property abatements;

WHEREAS, the Solid Waste Manager was advised of an opportunity to purchase a CAT Model # 930K Wheel Loader at the expiration of the Public Works lease for \$73,691.00;

WHEREAS, the 930K Caterpillar Front Wheel Loader has 1,308 miles;

WHEREAS, the Solid Waste division has the bucket and grapple for this K model;

WHEREAS, the Solid Waste division expects the 930K to last 6 or more years;

WHEREAS, the Solid Waste division is in the first year of a 60-month lease agreement with Caterpillar for this type of equipment;

WHEREAS, the Solid Waste division has a limited number of hours to be used during the lease;

WHEREAS, the Solid Waste division will have the opportunity to own this equipment to supplement the existing lease to ensure that the lease hours are not exceeded and to assist with other city projects which previously had to be scheduled around daily solid waste tasks;

WHEREAS, the Solid Waste division currently pays \$2,491.78 per month; and

WHEREAS, owning instead of renting can save \$29,901.36 a year.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference, and the City is hereby authorized to approve or disapprove this request to purchase the aforementioned leased equipment.

PASSED, APPROVED AND ADOPTED this ____ day of Dec, 2021.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

4. Request approval of the contract between the City of Las Vegas and Samaritan House.

Councilor Romero advised he felt it would be best for the City to table the item. Councilor Romero advised he looked through the proposed contract and noticed a couple of issues. Councilor Romero advised they have the opportunity to put any issues they are currently having into the contract to be addressed. Councilor Romero discussed his issues and concerns with the Samaritan House and advised the contract for \$60,000 was going over procurement so they would need to put it out for an RFP.

Discussion took place regarding when the item would be brought back due to the Samaritan House possibly closing without having any funding available.

Councilor Montoya asked for a point of order that way Councilor Romero could make a motion.

Councilor Romero made a motion to table business item 4 until the December 15, 2021 Council meeting. Councilor Montoya seconded the motion.

Discussion took place regarding concerns and issues at the Samaritan House, unanswered questions from the Samaritan House, what other funding avenues they receive and for someone from the Samaritan House to be available to present and answer questions.

Councilor Montoya asked for Mayor Trujillo to call for the question.

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David G. Romero	Yes
Michael L. Montoya	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION

Councilor Romero made a motion to convene into executive session for the purpose of discussing limited personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri Jr.	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero made a motion to exit executive session and reconvene into regular session after being in executive session for the purpose of discussing limited personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978 and only those matters were discussed

and no action was taken. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David G. Romero	Yes
Elaine Rodriquez	Yes	David A. Ulibarri Jr.	Yes

City Clerk Fresquez advised the motion carried.

ADJOURN

Councilor Montoya made a motion to adjourn. Councilor Ulibarri Jr., seconded the motion. All were in favor.


City Clerk Fresquez advised the motion carried.

Meeting adjourned at 7:43 pm.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk